

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**KEVIN GOLDEN,**

**Plaintiff,**

**vs.**

**STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,**

**Defendant.**

**8:19CV219**

**AMENDED  
FINAL PROGRESSION ORDER**

This matter comes before the Court on the Unopposed Motion to Continue Trial Date and Extend All Progression Deadlines ([Filing No. 24](#)). After review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

**IT IS ORDERED** that the Unopposed Motion to Continue Trial Date and Extend All Progression Deadlines ([Filing No. 24](#)) is granted, and the final progression order is amended as follows:

- 1) The trial scheduled to begin on August 31, 2020 is cancelled.
- 2) The deadline for completing written discovery under Rules 33, 34, and 36 of the Federal Rules of Civil Procedure is **August 14, 2020**. Motions to compel discovery under Rules 33, 34, and 36 must be filed by **August 28, 2020**.  
**Note:** A motion to compel, to quash, or for a disputed protective order shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 3) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

|                    |                      |
|--------------------|----------------------|
| For the plaintiff: | <b>March 2, 2020</b> |
| For the defendant: | <b>May 1, 2020</b>   |

- 4) The deadlines to complete expert disclosures<sup>1</sup> for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

|                    |                       |
|--------------------|-----------------------|
| For the plaintiff: | <b>April 15, 2020</b> |
| For the defendant: | <b>June 15, 2020</b>  |

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<sup>1</sup> While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 5) A telephonic conference to discuss the status of case progression and the parties' interest in settlement will be held with the undersigned magistrate judge on **September 11, 2020**, at **11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 6) The deposition deadline is **September 30, 2020**.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is **September 30, 2020**.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is **September 30, 2020**.
- 9) A telephonic conference to discuss trial dates and settlement status will be held with the undersigned magistrate judge on **December 21, 2020**, at **10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 10) The Pretrial Conference is rescheduled before the undersigned magistrate judge on **January 22, 2021**, at **10:00 a.m.**, and will be conducted in chambers. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to nelson@ned.uscourts.gov, in Word format, by **3:00 p.m.** on **January 15, 2021**.
- 11) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 12) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 13) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 23rd day of October, 2019.

BY THE COURT:

s./Michael D. Nelson  
United States Magistrate Judge